

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>JERMAR HINES,</b>	:	<b>CIVIL ACTION NO. 1:09-CV-0206</b>
	:	
<b>Plaintiff</b>	:	<b>(Judge Conner)</b>
	:	
<b>v.</b>	:	
	:	
<b>KEVIN DEPARLOS, et al.,</b>	:	
	:	
<b>Defendants</b>	:	

**ORDER**

AND NOW, this 14th day of October, 2009, upon consideration of this court's order of February 3, 2009 (Doc. 6), affording plaintiff the opportunity to file an amended complaint or suffer dismissal of his original complaint pursuant 28 U.S.C. §1915(e)(2)(B)(ii), and it appearing that although plaintiff failed to file an amended complaint, by order of April 28, 2009 (Doc. 14), he was afforded until May 15, 2009, to file the amended complaint, and because more than four months passed without communication from the plaintiff, the court re-mailed the order of April 28, 2009 (Doc. 20), to plaintiff's last known address and the order was returned with the notation "not housed here can not [sic ]locate in records" (Doc. 21), and it further appearing that a search of the name of Jermar Hines, Inmate Number JA 5446, in the Pennsylvania Department of Corrections ("DOC") Inmate Locator System, <http://www.cor.state.pa.us/inmatelocatorweb/> reported that there was "no inmate found" in the custody of the DOC, it is hereby ORDERED that, due to plaintiff's failure to file an amended complaint, coupled with his apparent abandonment of

the lawsuit<sup>1</sup>, plaintiff's complaint is DISMISSED pursuant to 28 U.S.C. §1915(e)(2)(B)(ii).

S/ Christopher C. Conner  
CHRISTOPHER C. CONNER  
United States District Judge

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<sup>1</sup>Pursuant to this court's standing practice order, "if the court is unable to communicate with the plaintiff because the plaintiff has failed to notify the court of his or her address, the plaintiff will be deemed to have abandoned the lawsuit." (Doc. 4, at 5.)